REMARKS

In the present amendment, claims 19, 20, 22 - 25, 31, 34, 35, 37 - 45, 47, 50, 53, 55 - 65, 67, 70, 73, 76 - 85, 87, 90 - 102 stand currently amended and claims 1 - 18, 21, 28 - 30, 32, 33, 36, 46, 66, and 86 stand cancelled. Claims 19, 20, 22 - 27, 31, 34, 35, and 37 - 85, and 87 - 102 are pending in the present application.

Objection of claims 20 and 22 - 27

Claims 20 and 22 - 27 stand objected to as depending from a non-existing claim. Claim 20 has been amended to depend from claim 95, whereby reconsideration and withdrawal of this objection are respectfully requested.

Rejection of claims 31, 78 – 91, 94, 96, 97, 99, and 100

Claims 31, 78 – 91, 94, 96, 97, 99, and 100 have been rejected as being allegedly unpatentable over Wagner et al. Claims 31, 78 - 85, 87, 90, 91, 94, 96, 97, 99, and 100 have been amended and claim 86 has been cancelled.

The Examiner states that Wagner "discloses a system for indicating the status of a room"; in support of this the Examiner cites "figs.1–3, col. 2, lines 14-21, col. 6, lines 4-15 and lines 29-38". The Examiner then states that the Wagner system includes "a switch assembly (10,12) configured to convey a message outside of the room/ the switch assembly (12) operable from inside the room". In support of this the Examiner cites

"figs. 1-3, col. 1, lines 47-57, col. 2, lines 23-31 and col. 3, lines 31-67". Referring to figures 1 – 3 of Wagner show an interior view of a door with a switch adjacent thereto (figure 1); an exterior view of a door with an indicator adjacent thereto (figure 2); and an enlarged view of the switch, at the interior, having three settings, OFF, DO NOT DISTURB, and MAID SERVICE (figure 3).

Claim 78 recites "a first switch configured to be actuated from inside the room for selecting at least one message". Wagner's ***one and only switch*** is also located inside of the room and provides for selecting a message. However, claim 78 further recites "a second switch configured to be actuated from outside the room to generate said request". Wagner does not have two switches, one inside and one outside. Wagner is simply devoid of this second switch. Further, claim 78 recites "an indicator in operable communication with said first switch, said indicator configured for indicating, in response to a request, at least one of (1) said at least one message when said at least one message is selected and (2) at least one condition of the room, said indicator configured for indicating outside of the room". Wagner is devoid of any teaching or suggestion of an indicator configured for indicating in response to a request generated by a second switch. The Wagner indicator always indicates its messages when selected without requiring an additional request to provide the indication. An indication that requires request, generated by a second switch, will not provide such indication without receiving the request. While Wagner does suggest indication being blinking lights, it does not suggest a second switch for generating a request with the indication itself being provided in response thereto. In other words, there is no suggestion that the indication of blinking

lights, selected by a first switch inside the room, would not be provided without being requested by a second switch outside of the room.

There is simply no teaching nor suggestion in Wagner or the art as a whole to added a second switch for generating a request and the indicator providing the indication in response to this request. For at least these reasons, claim 78 patentably defines over Wagner.

Claims 31, 79 - 85, 87 - 91, 94, 96, 97, 99, and 100 should be patentable as depending from what should be an allowable independent claim.

Claim 31 should also be allowable as setting forth patentable subject matter in and of itself. Claim 31 recites "said first switch is incorporated with an electronic thermostat". The Examiner cites col. 3, line 53 to col. 4, line 3, col. 4, lines 18 – 43, col. 5, lines 20 –55, and col. 6, lines 4 – 24 in support of this rejection. However, Wagner does not teach or suggest switch (12) as being incorporated with an electronic thermostat. For at least these reasons, claim 31 patentably defines over Wagner.

Claim 79 should also be allowable as setting forth patentable subject matter in and of itself. Claim 79 recites "said second switch comprises a discreet switch". The Examiner cites fig. 3, col. 2, lines 58 – 60 and col. 3, line 63 to col. 4, line 12 in support of this rejection. As stated above, Wagner is simple devoid of any teaching or suggestion of a second switch, as discussed above. Therefore, Wagner clearly fails to teach or

suggest such a switch as being a discreet switch. For at least these reasons, claim 79 patentably defines over Wagner.

Claim 94 depends from claim 102, which depends from independent claim 57. Claim 57 does not stand rejected over Wagner. Claim 94 should also be allowable as setting forth patentable subject matter in and of itself. Claim 94 recites "said switch comprises a magnetic switch". The Examiner cites col. 3, line 53 to col. 4, line 3, col. 4, lines 18 – 43, col. 5, lines 20 –55, and col. 6, lines 4 – 24 in support of this rejection. Firstly, as stated herein Wagner is simple devoid of any teaching or suggestion of a second switch. Further, Wagner clearly fails to teach or suggest a magnetic switch. For at least these reasons, claim 94 patentably defines over Wagner.

For at least the foregoing reasons claims 31, 78 - 85, 87 - 91, 94, 96, 97, 99, and 100 patentably define over Wagner. Therefore reconsideration and allowance of these claims are respectfully requested.

Rejection of claims 37 - 56 and 95

Claims 37 - 56 and 95 were rejected as being allegedly unpatentable over Wagner in view of Gatti. Claims 37 - 45, 47, 50, 53, 55, 56, and 95 have been amended and claim 46 has been cancelled.

Claim 37 recites "a first switch configured to be actuated from outside the room to generate said request". Further, claim 37 recites "said indicator configured for indicating

in response to a request, said minibar access condition, said indicator configured for indicating outside of the room". Wagner is devoid of any teaching or suggestion of an indicator configured for indicating in response to a request generated by a switch. The Wagner indicator always indicates its messages when selected without requiring an additional request to provide the indication. An indication that requires a request, generated by a switch, will not provide such indication without receiving the request. While Wagner does suggest indication being blinking lights, it does not suggest a switch for generating a request with the indication itself being provided in response thereto. In other words, there is no suggestion that the indication of blinking lights, selected by Wagner's switch inside the room, would not be provided without being requested by a switch outside of the room.

The Examiner further sates that the indicator (30) of Wagner "viewable from inside and outside of the room". However, referring to Wagner "the indicating means accessible to the recipient ***outside*** of the hotel room", emphasis added, see column 2, lines 21 – 22 cited by the Examiner. Also, referring to figure 2 of Wagner, the indicating assembly 30 is located outside of the room. The interface assembly 30 of Wagner is located outside of the room and nowhere in Wagner is it taught or suggested that it is inside of the room. In fact this would clearly defeat the purpose of Wagner of notifying people outside of the room that they do not wish to be disturbed or that room needs to be maid.

In claim 37 the interface assembly is configured to convey a minibar access condition to outside of the room at the indicator, in response to a request generated by a switch outside of the room. This switch does not select a message, i.e., minibar access condition, such a message is conveyed by the interface assembly to the indicator. However, it cannot be viewed (as it is not indicated) until requested by the switch outside of the room.

There is simply no teaching nor suggestion in Wagner or the art as a whole to add a second switch for generating a request and the indicator providing the indication in response to this request. The Examiner's continued reliance on switch (12) of Wagner is clearly misplaced. Further, Gatti also does not provide any teaching or suggesting of a switch outside of the room for generating a request and the indicator providing the indication in response to this request.

For at least these reasons, claim 37 patentably defines over Wagner in view of Gatti.

Claims 37 - 45 and 47 - 56 should be patentable as depending from what should be an allowable independent claim.

Claim 38 should also be allowable as setting forth patentable subject matter in and of itself. Claim 38 recites "said first switch comprises a discreet switch". The Examiner cites fig. 3, col. 2, lines 58 – 60 and col. 3, line 63 to col. 4, line 12 in support of this

rejection. As stated above, Wagner is simple devoid of any teaching or suggestion of such a switch. Therefore, Wagner clearly fails to teach or suggest such a switch as being a discreet switch. Gatti also fails to provide any such teaching or suggestion. For at least these reasons, claim 38 patentably defines over Wagner in view of Gatti.

Claim 52 should also be allowable as setting forth patentable subject matter in and of itself. Claim 52 recites "said first switch comprises a magnetic switch". The Examiner cites indicating with "blinking lights" in support of this rejection. Firstly, as stated above Wagner is simple devoid of any teaching or suggestion of a switch for generating a request and the indicator providing the indication in response to this request. Further, Wagner clearly fails to teach or suggest such a switch as a magnetic switch. Therefore, Wagner clearly fails to teach or suggest such a magnetic switch. Gatti also fails to provide any such teaching or suggestion. For at least these reasons, claim 52 patentably defines over Wagner in view of Gatti.

Claim 55 should be patentable as depending from what should be an allowable independent claim. Claim 55 also clearly defines over Wagner in view of Gatti. Claim 55 recites "an infra-red communication device associated with each of said interface assembly and said centrally controlled system for communication of signals therebetween". Wagner is simply devoid of any teaching or suggestion of using an infra-red device for communication. The motion sensor mentioned in Wagner has nothing whatsoever to do with communication between an interface assembly and a central control system, as suggested by the Examiner. The Examiner's continued reliance on the

motion detector is misplaced. Wagner does not disclose or suggest an infra-red device associated with an interface assembly and an infra-red device associated with a centrally controlled system for communication therebetween. Further, Gatti also does not provide any teaching or suggesting of an infra-red device associated with an interface assembly and an infra-red device associated with a centrally controlled system for communication therebetween. For at least these reasons, claim 55 patentably defines over Wagner in view of Gatti.

Claim 95 depends from independent claim 78, which should be allowable for all the reasons discussed hereinbefore, and should be patentable as depending therefrom.

In view of the foregoing, applicants submit that claims 37 – 45, 47 – 56, and 95 patentably define over Wagner in view of Gatti. Therefore, reconsideration and allowance of these claims are respectfully requested.

Rejection of claims 57 - 77, 98, and 102

Claims 57 - 77, 98, and 102 were rejected as being allegedly unpatentable over Wagner in view of Bruno. Claims 57 - 65, 67, 70, 73, 76, 77, 98, and 102 have been amended and claim 66 has been cancelled.

Claim 57 is directed to "indicating an occupancy condition of a room". The Examiner states that Wagner "discloses a system for indicating the status of a room"; in support of this the Examiner cites "figs. –3, col. 2, lines 14-21, col. 6, lines 4-15 and lines

29-38". Referring to figures 1 – 3 of Wagner show an interior view of a door with a switch adjacent thereto (figure 1); an exterior view of a door with an indicator adjacent thereto (figure 2); and an enlarged view of the switch having three settings, OFF, DO NOT DISTURB, and MAID SERVICE (figure 3). None of which have any relevance to an occupancy condition of a room, as this switch can be set to any of these position regardless of whether or not someone in the room. Referring to column 2, lines 14 – 21 of Wagner states in part "a system for indicating the status of a hotel room" and "for indicating the message selected by the hotel guest", such does not discuss occupancy determination. Referring to column 6, lines 4 – 15 and 29 –32 of Wagner states that various signal lights could be used (lines 4 – 15) and the preamble of claim 1 of Wagner recites a system for indicating a status of a room (lines 29 – 32). Wagner does disclose that addition messages, such as "ready for occupancy", or "emergency help needed", can be added to the system. However, as previously stated by the Examiner, "ready for occupancy" simply means that the room has been cleaned. This is no indication of whether the room is occupied. There is simply no discussion of an occupancy determination in Wagner.

The Examiner then states that the Wagner system includes "a[n] interface assembly / switch assembly (10,12) configured to convey a message outside of the room/ the switch assembly (12) operable from inside the room". In support of this the Examiner cites "figs. 1-3, col. 1, lines 47-57, col. 2, lines 23-31 and col. 3, lines 31-67". However, Wagner does not teach or suggest "an interface assembly configured to convey the ***occupancy condition*** of the room to outside of the room", emphasis added, as recited in

claim 57. The switch assembly 10 of Wagner does not convey an occupancy condition, not even when the security feature discussed below is utilized.

Wagner does disclose a security feature that when activated will "[w]hen the door switch ***or*** the motion sensor is activated, the microprocessor will set the outside "do not disturb" light to blink, or will display a different discreet message either via a separate light or via LCD panel", emphasis added, column 5, lines 37 – 40 of Wagner. This teaching of in the alternative has been acknowledged by the Examiner, i.e., "When the door switch or the motion sensor is activated...", see page 15 of the present Office Action. However, claim 57 recites "an indicator configured for indicating, outside of the room, said occupancy condition when ***both*** said entry door switch ***detects a closed state*** of the entry door ***and*** said passive infra-red device detects motion ***within a delay***", emphasis added. Firstly, the door switch of Wagner is activated when the door is opened to detect an intruder, see column 5, lines 20 – 64 generally, and not to detect a closed state as recited by claim 57. Detecting a closed state will not aid in the detection of an intruder as contemplated by Wagner. Secondly, Wagner teaches that when either ***(not both)*** the door switch or the motion sensor are activated the microprocessor will set the light to blink, while claim 57 requires both the switch detecting a closed state and the passive infra-red device detects motion. Thirdly, the motion sensor of Wagner is time-delayed "to permit the occupant to leave the room", column 5, lines 37 – 38, and to permit "the occupant to de-activate the system upon returning to the room", column 5, lines 48 – 49. This is different from "detects motion within a delay", in fact it is the

opposite. Wagner does not utilize motion detected during the delays, as this allows the occupant to leave and re-enter the room.

The Examiner introduces Bruno as teaching a passive infra-red device for detecting motion when persons are not expected to enter a room. Wagner discloses a motion sensor also for detecting motion when persons are not expected to enter a room. Bruno does not teach or suggest indicating an occupancy condition when ***both*** an entry door switch ***detects a closed state*** of the entry door ***and*** a passive infra-red device detects motion ***within a delay***. Bruno simply fails to cure any of the aforementioned deficiencies of Wagner.

Accordingly, neither Wagner nor Bruno, alone or in combination, teach or suggest "an indicator configured for indicating, outside of the room, said occupancy condition when ***both*** said entry door switch ***detects a closed state*** of the entry door ***and*** said passive infra-red device detects motion ***within a delay***", emphasis added.

For at least these reasons, claim 57 patentably defines over Wagner in view of Bruno.

Claims 58, 59, 61, 68 – 72, 74 - 77, 98, and 102 should be patentable as depending from what should be an allowable independent claim.

Claim 72 should be patentable as depending from what should be an allowable independent claim. Claim 72 also clearly defines over Wagner. Claim 72 recites "said

interface assembly includes a jumper for selecting said delay from a plurality of preset delays". The Examiner states that in Wagner, the delay (although a different delay as discussed hereinbefore) is set by the microprocessor. Wager is simply devoid of any teaching or suggestion of an interface assembly including "a jumper for selecting said delay from a plurality of preset delays". Bruno also fails to provide any such teaching or suggestion. For at least these reasons, claim 72 patentably defines over Wagner in view of Bruno.

Claim 76 should be patentable as depending from what should be an allowable independent claim. Claim 76 also clearly defines over Wagner. Claim 76 recites "an infra-red communication device associated with each of said interface assembly and said centrally controlled system for communication of signals therebetween". Wagner and Bruno are simply devoid of any teaching or suggestion of using an infra-red device for communication. The motion sensors mentioned in Wagner and Bruno have nothing whatsoever to do with communication between an interface assembly and a central control system, as suggested by the Examiner. Further, neither Wagner nor Bruno disclose or suggest an infra-red device included with an interface assembly and an infra-red device included with a centrally controlled system. For at least these reasons, claim 76 patentably defines over Wagner in view of Bruno.

Claim 77 should be patentable as depending from what should be an allowable independent claim. Claim 77 also clearly defines over Wagner. Claim 77 recites "said occupancy condition is also conveyed to a location remote from said interface assembly

and remote from said indicator". As stated above, both Wagner and Bruno are devoid of any teaching or suggestion of conveying an occupancy condition. For at least these reasons, claim 77 patentably defines over Wagner in view of Bruno.

Claim 98 should be patentable as depending from what should be an allowable independent claim. Claim 98 also clearly defines over Wagner in view of Bruno. Claim 98 recites "an infra-red communication device associated with each of said interface assembly and said centrally controlled system for communication of signals therebetween". Wagner is simply devoid of any teaching or suggestion of using an infra-red device for communication. The motion sensor mentioned in Wagner has nothing whatsoever to do with communication between an interface assembly and a central control system, as suggested by the Examiner. The Examiner's continued reliance on the motion detector is misplaced. Wagner does not disclose or suggest an infra-red device associated with an interface assembly and an infra-red device associated with a centrally controlled system for communication therebetween. Further, Bruno also does not provide any teaching or suggesting of an infra-red device associated with an interface assembly and an infra-red device associated with a centrally controlled system for communication therebetween. For at least these reasons, claim 98 patentably defines over Wagner in view of Bruno.

For at least the foregoing reasons claims 57 - 65, 67 - 77, 98, and 102 patentably

define over Wagner in view of Bruno. Therefore reconsideration and allowance of these claims are respectfully requested.

Rejection of claims 34, 35 and 101

Claims 34, 35, and 101 have been rejected as being allegedly unpatentable over Wagner et al. in view of Winston. Claims 34, 35, and 101 have been amended. Claims 34, 35, and 101 should be patentable as depending from what should be an allowable independent claim. In view of the foregoing, applicants submit that claims 34, 35, and 101 patentably define over Wagner in view of Winston. Therefore, reconsideration and allowance of these claims are respectfully requested.

Rejection of claims 92 and 93

Claims 92 and 93 have been rejected as being allegedly unpatentable over Wagner et al. in view of Gatti. Claims 92 and 93 have been amended. Claims 92 and 93 depend from independent claim 78, which should be allowable for all the reasons discussed hereinbefore, and should be patentable as depending therefrom.

Claim 93 should also be allowable as setting forth patentable subject matter in and of itself. Claim 93 recites "a jumper for selecting a preset period of delay from a plurality of preset periods of delay". The Examiner states that in Wagner, the delay (although a different delay as discussed hereinbefore) is set by the microprocessor. Wager is simply devoid of any teaching or suggestion of "a jumper for selecting a preset period of delay from a plurality of preset periods of delay". Gatti also fails to provide any such teaching

or suggestion. For at least these reasons, claim 93 patentably defines over Wagner in view of Gatti.

In view of the foregoing, applicants submit that claims 92 and 93 patentably define over Wagner in view of Gatti. Therefore, reconsideration and allowance of these claims are respectfully requested.

Allowable Subject Matter

The Examiner's indication that claims 19 – 27 contained allowable subject matter is recognized and appreciated.

It is believed that the foregoing remarks fully comply with the Office Action and that claims 19, 20, 22 - 27, 31, 34, 35, 37 - 87, and 97 - 102 are allowable. Accordingly, reconsideration and allowance is requested. The Examiner is cordially invited to contact the undersigned by telephone to expedite the allowance of this application.

If there are any charges with respect to this Response or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Applicants' attorneys.

Respectfully submitted,

BUCKINGHAM ET AL.

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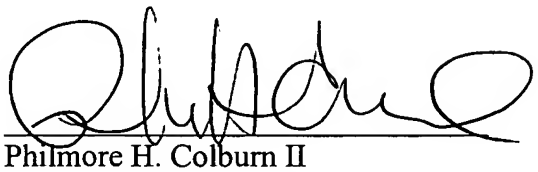
By: 
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